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EXAMINER				
BUTLER, MICHAEL E				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/782,304

Applicant(s)

TEZUKA, KENICHI

Examiner

MICHAEL E. BUTLER

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 July 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 and 12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 & 12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CIS)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office Action, and apply to this and any subsequent Office Actions.

Priority

1. Applicant's claim of priority to application 2003-042470 filed 2/20/2003 in Japan. The priority document has been received.

Drawings

2. The drawings are acceptable.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.
- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States
- (c) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

4. Claims 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Archer et al.

5522512 which discloses all the claimed elements including:

(Re: cl 12) A game token dispensing system having a container dispensing unit for providing a container at a dispensing section to receive dispensed game tokens for use with a gaming machine, comprising:
a control panel for entering a designated number of game tokens by a user to be released (91, c11 L 55-59 with c12 L 47-58);
means for positioning a first container having a capacity to store a predetermined number of game tokens at the dispensing section by dropping the first container from the container dispensing unit to the dispensing section
means for monitoring when a first container is positioned at the dispensing section;
a game token releasing unit for releasing game tokens stored in the game token

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dispensing apparatus (c10 L 56-60);
means for comparing the user entered designated number of game tokens with the predetermined storage capacity number of game tokens of the first container at the dispensing section, and when the entered designated number of game tokens to be dispensed is greater than the predetermined storage capacity only releasing the predetermined storage capacity number of game tokens from the game token releasing unit (87; c12 L 16-26)
a displaying unit for displaying information to the user on the game token dispensing apparatus (89)
means for displaying indicia on the displaying unit to remove the first container with the dispensed game tokens (c 17 L 9-20)
means for displaying an error signal after a predetermined time period if the first container with the dispensed game tokens is not removed (c 17 L 9-20)
means for sensing when the first container is removed from the dispensing section and releasing a second container to drop from the container dispensing unit to the displaying section when the entered designated number of game tokens has not been completely released; and means for determining if the remaining number of game tokens that are to be dispensed are equal to the predetermined capacity number of game tokens of the second container and releasing the lesser of the remaining number of game tokens to be released and the predetermined capacity number of game tokens to the second container (9; c12 L 10-15).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(A) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim(s) 1-3 and 7-9 is/are rejected under 35 U.S.C. 103(a) as being unpatentable over Archer in view of Lahtenmaki WO 03/056493A1 wherein wherein Archer et al. discloses the elements previously discussed including:

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(Re: cl 1) A game token dispensing apparatus comprising:

a game token dispensing unit (17) including a storage member for storing game tokens for use with gaming machines (11 ; c 5 L 26 -34);

a game token selector unit for releasing a game token from the storage member based on a user request 91, c11 L 55-59 with c12 L 47-58);

a container dispensing unit for dispensing a first container to receive the tokens including a container storage unit and a container separating unit for releasing the first

container from the container storage unit to a position to receive a released game token;(71)

a first sensor unit for sensing the number of game tokens released (c8 L 18-37 & c9 L 26-28; c8 L 41-49);

a second sensor unit for sensing the first container at the position to receive a released game token; (c10 L 56-60);

a first control means for receiving an output from the first sensor unit and comparing it with a predetermined value representative of a desired capacity of the first container

to hold game tokens and receiving an output from the second sensor unit to determine the existence of the container at the position to receive a released game token to enable the game token selector unit to release game tokens(19 , c12 L 26-36

a second control means for stopping the dispensing of the game tokens when a predetermined value representative of the desired capacity is reached and compares the

predetermined value with the total number of game tokens requested, when the total number

game tokens are greater than the predetermined value and the second sensor unit indicates the

first container is removed from the position to received released game tokens(25, c12 L 4-9)

a third control means for automatically activating the container separating unit to release a second container when the second sensor unit senses the second container;

a fourth control means for activating the game token selector unit to continue to release game tokens under the monitoring of the first sensor unit; (87; c12 L 16-26)

and a housing unit storing the game token dispensing unit, the game token selector unit, the container dispensing unit, the first sensor unit (the housing unit comprising the unlabelled sheet metal shown as a cutaway above 115 and 107 and 113 in fig 7) , the second sensor unit, the first control means, and the second control means, the housing unit including a portion defining an opening allowing a user to access the first container when the first container is released from the container storage unit (access can be allowed by reaching in the axial exit aperture above 113)

(Re: cl 7) A game token dispensing apparatus comprising:

a game token dispensing unit (17) for releasing game tokens including a storage member for storing

game tokens; 11 ; c 5 L 26 -34);

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an operator control panel for a user to designate a number of tokens to be released as a dispensing signal 91, c11 L 55-59 with c12 L 47-58);
a dispensing section with a stationary platform and an exit opening on one side, the dispensing section having a container sensor unit;
a container dispensing unit (17) for dispensing a container to the stationary platform to receive the game tokens including a container storage unit for supporting a stack of containers from the container storage unit to the dispensing section to receive a released game token(91, c11 L 55-59 with c12 L 47-58);
an amount detecting unit for sensing the amount of game tokens released to the container on the stationary platform at the dispensing section(c8 L 18-37 & c9 L 26-28; c8 L 41-49);
an overflow preventing unit including a display visible to a user to output a removing signal for removing the container which is located at the dispensing section and a
stopping signal for the game token dispensing unit, when the amount detecting unit detects a
predetermined amount of game tokens in the container; (25, c12 L 4-9) and
a first control means for receiving an output from the amount detecting unit and comparing it with the predetermined amount representative of a capacity of the container to hold
game tokens and receiving an output from the container sensor unit to determine the existence of a container at the dispensing section to receive a released game token to enable the game token
dispensing unit to release game tokens (19 , c12 L 26-36)
a second control means for stopping the dispensing of the game tokens when a predetermined value representative of the container capacity is reached, and for driving the display to output the removing signal to the user, and for comparing the predetermined value with the total number of game tokens requested, when the total number of game tokens are greater than the predetermined value and the container sensor unit indicates the first container is removed from the dispensing section (25, c12 L 4-9)
a third control means for automatically activating the container separating unit to release the second container and when the container sensor unit senses the second container,
the third control means activates the token dispensing unit to continue to release game tokens under the monitoring of the amount detecting unit until the designated number of game tokens are released to the user (87; c12 L 16-26); and
(Re: cl 2,5) further including operator control unit for inputting an amount of game tokens to be dispensed and a displaying unit for displaying the status of game tokens in each container (91/89, c11 L 55-59 with c12 L 47-58)
(Re: cl 6) where the amount detecting unit is a counter which counts game tokens dispensed from the game token dispensing unit (55; c8 L 25-28)
(Re: cl 9) further including a means for monitoring a predetermined time period in which a container is at the dispensing section after a removing container signal is displayed

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and displays for displaying an error signal when the predetermined time period is exceeded (c13 L 36-54).

and Lahtenmaki discloses:

a sliding horizontally inclined feed path for use with a gaming machine (inclined ramps between dosing unit 110 and magazines 108 in figs 1 & 2)
(Re: cl 4) use with gaming machines, the container dispensing unit including a container storage unit storing the first container and a second container in a nested manner wherein the second container is stored within a portion of the first container that receives the game tokens, the container dispensing unit further including a container separating unit for releasing the first container from the container storage (with its trapezoidal cross section container shape a nesting intent of the containers 114)
(Re: cl 3,8) further including a coin receiving unit and a banknote receiving unit for inputting a monetary value in return for the amount of game tokens to be dispensed (p18 L 20-22)

and Lahtenmaki suggests:

unit storing the first container and a second container in a nested manner wherein the second container is stored within a portion of the first container that receives the game tokens, the container dispensing unit further including a container separating unit for releasing the first container from the container storage (with its trapezoidal cross section container shape a nesting intent of the containers 114)

It would have been obvious at the time of the invention for Archer et al. to include banknote and coin receiving units to vend as taught by Lahtenmaki. It would have been obvious at the time of the invention for Archer et al. to use an inclined stationary platform to feed the tokens to direct the tokens into the top of the containers as taught by Lahtenmaki. It would have been obvious at the time of the invention for Archer et al. to nest the containers in

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storage to keep the containers aligned in the container storage and minimize the space taken by the empty containers as taught by Lahtenmaki.

7. Claim(s) 1-2 and 4-7 is/are rejected under 35 U.S.C. 103(a) as being unpatentable over Archer in view of Williams et al. 6036812 wherein Archer et al. discloses the elements previously discussed and further discloses:

(Re: cl 1) A game token dispensing apparatus comprising:
a game token dispensing unit (17) including a storage member for storing game tokens for use with gaming machines (11 ; c 5 L 26 -34);
a game token selector unit for releasing a game token from the storage member based on a user request 91, c11 L 55-59 with c12 L 47-58);
a container dispensing unit for dispensing a first container to receive the tokens including a container storage unit and a container separating unit for releasing the first container from the container storage unit to a position to receive a released game token;(71)
a first sensor unit for sensing the number of game tokens released (c8 L 18-37 & c9 L 26-28; c8 L 41-49);
a second sensor unit for sensing the first container at the position to receive a released game token; (c10 L 56-60);
a first control means for receiving an output from the first sensor unit and comparing it with a predetermined value representative of a desired capacity of the first container
to hold game tokens and receiving an output from the second sensor unit to determine the existence of the container at the position to receive a released game token to enable the game token selector unit to release game tokens(19 , c12 L 26-36
a second control means for stopping the dispensing of the game tokens when a predetermined value representative of the desired capacity is reached and compares the predetermined value with the total number of game tokens requested, when the total number game tokens are greater than the predetermined value and the second sensor unit indicates the first container is removed from the position to received released game tokens(25, c12 L 4-9)
a third control means for automatically activating the container separating unit to release a second container when the second sensor unit senses the second container;
a fourth control means for activating the game token selector unit to continue to release game tokens under the monitoring of the first sensor unit; (87; c12 L 16-26)
and a housing unit storing the game token dispensing unit, the game token

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selector unit, the container dispensing unit, the first sensor unit (the housing unit comprising the unlabelled sheet metal shown as a cutaway above 115 and 107 and 113 in fig 7) , the second sensor unit, the first control means, and the second control means, the housing unit including a portion defining an opening allowing a user to access the first container when the first container is released from the container storage unit (access can be allowed by reaching in the axial exit aperture above 113)

(Re: cl 4) A game token dispensing device comprising:

a container dispensing unit (17) which dispenses a first container for receiving tokens for unit to a dispensing section based on a dispensing signal (11 ; c 5 L 26 -34);)

a game token dispensing unit which dispenses the game tokens to the first container located at the dispensing section (91, c11 L 55-59 with c12 L 47-58);
an amount detecting unit which detects the amount of game tokens dispensed into the first container (c8 L 18-37 & c9 L 26-28; c8 L 41-49);

an overflow preventing unit which outputs a removing signal for removing the first container which is located at the dispensing section and a stopping signal for stopping the

dispensing of game tokens by the dispensing unit, when the amount detecting unit detects a first

predetermined amount of game tokens dispensed into the first container;

a container detecting unit which detects the first container located at the dispensing section (25, c12 L 4-9)

a remaining amount dispensing means for automatically enabling the game token dispensing unit and the container dispensing unit, based on a no-container signal from the

container detecting unit, to dispense the second container to the dispensing section and to dispense a second predetermined amount of game tokens into the second container (c12 L 16-26)

(Re: cl 7) A game token dispensing apparatus comprising:

a game token dispensing unit for releasing game tokens including a storage member for storing game tokens;

an operator control panel for a user to designate a number of tokens to be released as a dispensing signal;

a dispensing section with a stationary platform and an exit opening on one side, the dispensing section having a container sensor unit;

a container dispensing unit (17) for dispensing a container to the stationary platform to receive the game tokens including a container storage unit for supporting a stack of containers from the container storage unit to the dispensing

section to receive a released game token(91, c11 L 55-59 with c12 L 47-58);

an amount detecting unit for sensing the amount of game tokens released to the container on the stationary platform at the dispensing section(c8 L 18-37 & c9 L 26-28; c8 L 41-49);

an overflow preventing unit including a display visible to a user to output a removing signal for removing the container which is located at the dispensing section and a

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stopping signal for the game token dispensing unit, when the amount detecting unit detects a

predetermined amount of game tokens in the container; (25, c12 L 4-9) and a first control means for receiving an output from the amount detecting unit and comparing it with the predetermined amount representative of a capacity of the container to hold

game tokens and receiving an output from the container sensor unit to determine the existence of a container at the dispensing section to receive a released game token to enable the game token

dispensing unit to release game tokens (19 , c12 L 26-36)

a second control means for stopping the dispensing of the game tokens when a predetermined value representative of the container capacity is reached, and for driving the display to output the removing signal to the user, and for comparing the predetermined value with the total number of game tokens requested, when the total number of game tokens are greater than the predetermined value and the container sensor unit indicates the first container is removed from the dispensing section (25, c12 L 4-9)

a third control means for automatically activating the container separating unit to release the second container and when the container sensor unit senses the second container,

the third control means activates the token dispensing unit to continue to release game tokens

under the monitoring of the amount detecting unit until the designated number of game tokens are released to the user (87; c12 L 16-26); and

(Re: cl 2,5) further including operator control unit for inputting an amount of game tokens to be dispensed and a displaying unit for displaying the status of game tokens in each container (91/89, c11 L 55-59 with c12 L 47-58)

(Re: cl 6) where the amount detecting unit is a counter which counts game tokens dispensed from the game token dispensing unit (55; c8 L 25-28)

(Re: cl 9) further including a means for monitoring a predetermined time period in which a container is at the dispensing section after a removing container signal is displayed and displays for displaying an error signal when the predetermined time period is exceeded (c13 L 36-54)..

Williams et al. discloses:

(Re: cl 1) use with gaming machines, the container dispensing unit including a container storage unit storing the first container and a second container in a nested manner wherein the second container is stored within a portion of the first container that receives the game tokens, the container dispensing unit further including a container separating unit for releasing the

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first container from the container storage (45 fig 8)
(Re: cl 4) use with gaming machines, the container dispensing unit including a container storage unit storing the first container and a second container in a nested manner wherein the second container is stored within a portion of the first container that receives the game tokens, the container dispensing unit further including a container separating unit for releasing the first container from the container storage (45 fig 8)
(Re: cl 7) a sliding horizontally inclined feed path for use with a gaming machine inclined (52 fig 7)
above the stationary platform, the stack of containers including a first container and a second container stored in a nested manner such that the second container is stored within a portion of the first container that receives the game tokens, the container dispensing unit further including and a container separating unit for vertically releasing an individual container and allowing the individual container to drop downwards by gravity from the container storage unit to the dispensing (45 fig 8)
(Re: cl 10) wherein the container dispensing unit has the container storage unit supporting a stack of containers positioned above the dispensing section, the containers are released to drop downward by gravity onto the dispensing section (45).

It would have been obvious at the time of the invention for Archer et al. to nest the containers in storage to keep the containers aligned in the container storage and minimize the space taken by the empty containers as taught by Williams et al..

It would have been obvious at the time of the invention for Archer et al. to include A stacked gravity fed container feeder store bottles in a compact space while readily available fill upon demand as taught by Williams et al.. It would have been obvious at the time of the invention for Archer et al. to use an inclined stationary platform to feed the tokens to direct the tokens into the top of the containers as taught by Williams et al..

Response to Amendments/Arguments

8. The applicant's arguments have been fully considered but they are unpersuasive in overcoming the anticipatory rejections to claim 12. Applicant's amendment is directed at the

intended use of the dispensate. Many game tokens are shaped like tablets including bingo tokens, tokens used in Risk, etc.

The applicant's amendment was effective in overcoming the remaining anticipatory rejections beyond claim 12.

Archer features housings over the components- the cutaway sheet metal of Archer in fig 7 qualifies as a housing. Both Williams et al. and Lahtenmaki disclose inclined ramps which the dispensate are gravity feed in route to the containers.

Williams et al. discloses stacked nested containers. Lahtenmaki suggests with its container shape a nesting intent of the containers.

Conclusion

8. Applicant's amendment necessitated the new grounds for rejection. Accordingly, **THIS ACTION IS MADE FINAL**. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Exmr. Michael E. Butler whose telephone number is (571) 272-6937.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Mackey, can be reached on (571) 272-6916. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be

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obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/M.E.B./

/Patrick H. Mackey/

Supervisory Patent Examiner, Art Unit 3653